

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTWAN ROSEMOND,
HODARI WELLS, et al.,

Defendants.

AFFIDAVIT

Case No. 07-CR-20A

STATE OF NEW YORK)
COUNTY OF ERIE) ss:
CITY OF BUFFALO)

JOSEPH M. LaTONA, being duly sworn deposes and says:

1. I am the attorney assigned to represent the defendant, Hodari Wells.

Currently, Mr. Wells pre-trial motions are due to be served and filed on or before September 7, 2007.

2. Deponent has been in conversation with Mr. Wells and with Assistant United States attorney Michael DiGiacomo regarding a plea disposition.

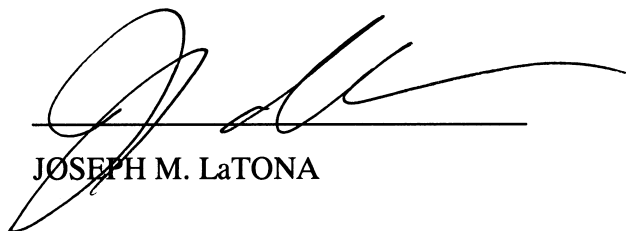
3. It is deponent's belief that Mr. Wells case will be resolved by some sort of a guilty plea. Consequently, deponent would prefer to focus on achieving a plea disposition rather than preparing, filing and litigating pre-trial motions.

4. Deponent and Mr. DiGiacomo agree that within thirty days it should be ascertained whether or not Mr. Wells will plead guilty.

5. Accordingly, deponent respectfully requests a thirty day extension from September 7, 2007 within which to file Mr. Wells pre-trial motions.

6. The thirty day extension has been discussed with Mr. DiGiacomo who has no objection to it's being granted.

WHEREFORE, deponent respectfully requests that the Court grant the relief sought in the annexed Notice of Motion, together with such other and further relief as the Court deems proper.



JOSEPH M. LaTONA

Sworn to before me this
6th day of September, 2007.



Notary Public

WENDY ROMINE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 08/21/ 2009